

# United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

Ann Hart

## SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

Novartis Pharmaceuticals Corporation and  
Merck & Co., Inc.

08 CIV 486

TO: (Name and address of defendant)

Novartis Pharmaceuticals Corporation  
One Health Plaza  
East Hanover, New Jersey 07936-1080

Merck & Company  
One Merck Drive  
Whitehouse Station, NJ 08889

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Beatie and Osborn LLP  
521 Fifth Avenue, 34th Floor  
New York, New York 10175

an answer to the complaint which is herewith served upon you, within twenty days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

CLERK

DATE

MAY 11 2008

(BY) DEPUTY CLERK

AO 440 (Rev. 10/93) Summons in a Civil Action

## RETURN OF SERVICE

SERVICE OF: **SUMMONS, COMPLAINT**  
EFFECTED (1) BY ME: **JOSE ALARCON**  
TITLE: **PROCESS SERVER**

DATE: 05/09/2008 03:11PM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☐ Served personally upon the defendant:MERCK & COMPANY

Place where served:

ONE MERCK DRIVE WHITEHOUSE NJ 08888☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:JOAN DEARBORNRelationship to defendant: MANAGING AGENT

Description of person accepting service:

SEX: F AGE: 51-65 HEIGHT: 5'4"-5'8" WEIGHT: 131-160 LBS. SKIN: WHITE HAIR: BLACK OTHER: \_\_\_\_\_☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

## STATEMENT OF SERVER

TRAVEL \$ \_\_\_\_\_

SERVICES \$ \_\_\_\_\_

TOTAL \$ \_\_\_\_\_

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 05/09/08

Jose Alarcon L.S.  
SIGNATURE OF JOSE ALARCON  
GUARANTEED SUBPOENA SERVICE, INC.  
2009 MORRIS AVENUE  
UNION, NJ 07083

ATTORNEY: RUSSELL H. BEATIE  
PLAINTIFF: ANN HART  
DEFENDANT: MERCK & CO, INC., ET AL  
VENUE: DISTRICT  
DOCKET: 08 CV 4091

05-09-08  
J. Sulez  
JANIRA SANTIAGO VELEZ  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires April 24, 2012

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

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